

Serial No. 10/756,124
Docket No. MICRODOSE 99.02 CON2
Amendment C Under Rule 116

REMARKS

Claims 1, 5 and 21 have been amended to clarify the invention. More particularly, claim 1 has been amended to incorporate the limitations of claim 4 which the Examiner indicated to be allowable over the art.

And, claim 5 which the Examiner indicated as allowable over the art, has been rewritten in independent form. Thus, it is believed that claim 1 and claim 5, and claims 3 and 8-20 that depend from claim 1 are allowable. Thus, the rejection of claims 1 and 9-12 as obvious from Depui et al., the rejection of claims 1, 3, 6-9, 11 and 12 as obvious from Sturzenegger et al., and the rejection of claims 1, 3, 6-10 and 12 as obvious from Sturzenegger et al. and Digenis et al., and the rejection of claims 1, 3, 6-9, 11 and 12 as obvious from Sturzenegger et al. and Depui et al. and the rejection of claims 1, 9-12 and 17 as obvious from Depui et al. and Sanso cannot be maintained.

Turning to the rejection of claim 21 under 35 U.S.C. 103 under 35 USC §103(a) as being unpatentable over Depui et al. (WO 97/25065) in view of Sanso (US Patent No. 6,350,468), claim 21 has been amended to incorporate the limitations of claim 5 which the Examiner acknowledges is taught by neither Depui et al. or Sanso. Accordingly, it is believed claim 5 also is allowable over the art.

The foregoing Amendment makes no claim changes that would require a further search by the Examiner. Claim 1 has been amended to incorporate the limitations of claim 4 which the Examiner indicated to be allowable. Claim 5 which the Examiner also indicated to be allowable over the art has been rewritten in independent form. All of the other claims other than claim 21 depend on claim 1 or claim 5. As to claim 21, that claim has been amended to

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incorporate the limitations of claim 5, which, as noted above, the Examiner indicated to be allowable. Accordingly, it is believed that no new issues have been raised, and the claims are now in order for allowance.

A terminal disclaimer accompanies this Amendment.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action is respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile to the United States Patent Office, number 571-273-8300 on July 20, 2006, at Tucson, Arizona.

By Kim Hood

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